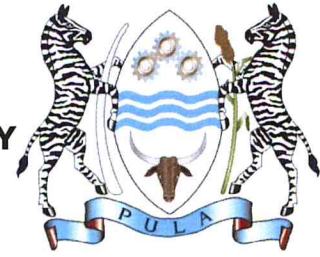




Republic of Namibia

**THE TRANS-KALAHARI RAILWAY  
(TKR) PROJECT**



Republic of Botswana

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**REQUEST FOR PROPOSAL (RFP)  
RFP NO: TKR – PMO/SC/RFP-01/24 – 25**

**FOR**

**Request for Proposal (RFP)**

**For**

**The Selection of a Consultant for the Development of a Comprehensive RFP Document for the Trans-Kalahari Railway Project.**

**Clarification No 002 issued on: 28 June 2024**

**Employer: Trans-Kalahari Railway Project Management Office**

**Response to Clarifications and Queries No: 002**

**28 June 2024**

No.	Date Received	Clarification/Query	Response	Date Responded	Status
1	24 June 2024	<p>In reference to the RFP concerning "The Selection of a Consultant for the Development of a Comprehensive RFP Document for the Trans-Kalahari Railway Project" and Addendum No.1 issued on June 10, 2024, that detailed some additional requirements, mainly two additional legal experts (one admitted to practice law in Botswana and another admitted to practice law in Namibia), which requires a JV with local law offices in both countries, can there be a list of candidates or suggested offices that can expedite the search process for such experts?</p>	<p>The TKR-PMO is constrained to provide a list of candidates and/or law offices/firm.</p> <p>The TKR-PMO suggests that amongst other searches, you could consider contacting the following Law Societies for enquiries and guidance;                      (a) "Law Society of Botswana" and                      (b) "Law Society of Namibia"</p>	28 June 2024	Closed
2	24 June 2024	<p>Also regarding the submission of the proposal, will the submission by mail be counted or a physical bid package must be delivered to the address mentioned in the RFP?</p>	<p>Only physical bid package must be delivered to the address mentioned in the bidding document.</p> <p>Kindly refer to "Section 2 – Instructions to Consultants" Clause 3.5</p>	28 June 2024	Closed
3.	24 June 2024	<p>Section 2 – Instructions to Consultants – Clause 1.6.1 (iii) – please provide a list of the Client's staff 'who were / are / will be</p>	<p>Clause 1.6 - is a standard requirement of avoiding "Conflict of Interest" as a requirement of a</p>	28 June 2024	Closed

		directly or indirectly involved in any part of (i), (ii) and (iii). This is required to check any conflicts.	procurement process, Clause 1.6.1 and its Sub-clauses (i), (ii) and (iii) are examples of circumstances where conflict of interest may seem to arise.  Therefore, providing a list of Client's staff involved in this bid is not necessary and shall not be provided.		
4.	24 June 2024	Section 2 - Instruction to Consultants - Clause 2.4 (a) - to enhance the proposal a Joint Venture (JV) will be formed, which will also include sub-consultants. Please confirm that in accordance with this Clause the experience of the JV and the sub-consultants will be eligible for the marking requirements under the evaluation criteria; namely Section 2 - Instruction to Consultants - Data Sheet - Clause 4.2 and Section 3 - Technical Proposal - Section 3 -FORM TECH 2B - Consultants Experience.	This is to confirm that experience of the firm/JV and its associates will be eligible for the marking requirements under the evaluation criteria: namely Section 2 - Instruction to Consultants - Data Sheet - Clause 4.2 as informed by Section 3 - Technical Proposal - Section 3 -FORM TECH 2B - Consultants Experience.	28 June 2024	Closed
5.	24 June 2024	Section 2 - Instruction to Consultants - Clause 3.5 (7) - this Clause requires a completed, initialed and signed Joint Venture Agreement. The development and agreement of a JV agreement is time consuming and is difficult to conclude in the proposal preparation time allowed. Please confirm whether a joint letter signed by each party in the JV	Section 2 - Instruction to Consultants - under Stage 1 - Administrative Compliance, stipulates mandatory requirements that must be met by the bidder.  Item (7) - prescribes a duly completed, initialed and signed Joint Venture Agreement (if applicable).	28 June 2024	Closed



		<p>confirming the intention to form a JV would suffice (each company will also provide a letter confirming the person who can sign on behalf of the company). The letter would stipulate the Lead member and that each party is jointly and severally liable.</p>	<p>The TKR-PMO kindly requests that a letter of intent to form a JV be provided with all the proposed details if the JV is not already formed, signed by each party in the JV confirming the intention to form a JV, each company to also provide a letter confirming the person who can sign on behalf of the company. The letter should stipulate the Lead member and that each party is jointly and severally liable. If a JV is already formed then they should provide a signed JV agreement as stipulated signed by every participating member, which details the likely legal structure of and the confirmation of joint and severable liability of the members of the said JV.</p>		
6.	24 June 2024	<p>Section 2 – Instructions to Consultants – Data Sheet – Clause 2.4 (b) – this Clause mentions that the proposal shall be based on the number of man-months or an estimated budget by the Consultant. We understand that the Consultant will propose the number of man-months and that this is not an estimated budget. Please confirm.</p>	<p>Section 2 – Instructions to Consultants – Data Sheet – Clause 2.4 (b) – specifies in the Data Sheet that “The Consultant shall provide the estimated number of professional staff-months required for the assignment.”</p>	28 June 2024	Closed

7.	24 June 2024	The RfP makes numerous mentions of the "local." We assume local refers to Namibia?	In general the word "local" refers to Namibia.	28 June 2024	Closed
8.	24 June 2024	Section 2 – Instructions to Consultants – Data Sheet – Clause 3.5 - Notes at the bottom of Page 4 of Addendum No 1. The following statement refers "Only a certified copy (the certification stamp should be original) of an original document will be accepted." Due to the international nature of the teams, the need to e-mail documents and the submission is in hard copy in Windhoek, we request that copies of certified documents be accepted.	Section 2 – Instructions to Consultants – Data Sheet - Notes at the bottom of Page 4 of Annexure 2 of Addendum No 1 under Administrative Compliance Evaluation Criteria: The <i>nota bene</i> requirement is that "Only a certified copy (the certification stamp should be original) of an original document will be accepted."  Bidders are requested to adhere to the above requirement as non-responsive submissions will be disqualified.	28 June 2024	Closed
9.	24 June 2024	Page 52 and 53 – Republic of Namibia – Ministry of Labour, Industrial Relations and Employment Creation Form – please confirm which firms should fill this form in i.e. is this form applicable for firms based in Namibia only or should international firms complete the form and furthermore are sub-consultants included or excluded?	Page 52 and 53 – Republic of Namibia – Ministry of Labour, Industrial Relations and Employment Creation Form.  YES, only applicable to Namibia based firms  <u>However, the successful bidder will be required to comply with the Namibian Laws.</u>	28 June 2024	Closed
10.	24 June 2024	Section 4 – Financial Proposal – Standard Forms – Appendix: Financial Negotiations –Breakdown of Remuneration Rates –	This a standard of bidding document, for financial presentation to the Client,	28 June 2024	Closed

		Page 60 to Page 64. This section requires salaries of the proposed staff, which cannot be divulged by law. Please consider removing this requirement	where costing is related to positions and not an individual. This also applies to reimbursements. The submission is for purposes of financial bid as an itemised menu for clarity of the make-up of the financial bids.  Kindly adhere to the requirements as outlined in preparation and submission of Financial bids.		
<b>11.</b>	<b>24 June 2024</b>	Section 5 – Terms of Reference – Page 66 – Background Documentation - Please confirm that the available studies mentioned in this paragraph are approved and are sufficient for the Consultant to undertake the necessary tasks as outlined in the RfP i.e. these studies do not require any updating. Furthermore, please confirm if editable the reports and drawings from the previous studies are available (eg in word and dwg format respectively) to the successful bidder?	The three (3) studies mentioned were for specific requirement at that relevant time and not as working documents.  They do not require any updating for the purposes of this assignment. In fact undertaking the feasibility study will provide much required definitive information regarding the assignment.  There are no editable documents available regarding the previous studies undertaken.	28 June 2024	Closed
<b>12.</b>	<b>24 June 2024</b>	Addendum No 1 - Annexure 1 – Scope of Work – Section 3.1 – this section refers to a benchmarking process on three similar PPP Projects. For budget purposes, could	“The Consultant will propose at least three (3) similar PPP projects that may be suitable for benchmarking and indicate the cost of such visits in the	28 June 2024	Closed



13.	24 June 2024	this reimbursable amount be provided and included in the financial proposal. Addendum No 1 - Annexure 1 – Scope of Work – Section 3.1 – this section refers to consultative workshops with relevant stakeholders. For budget purposes, could the number of workshops be confirmed and where will they be held?	financial proposal, as a reimbursable expense.” The Consultant will conduct consultative workshops with relevant stakeholders to discuss policy issues, risk, project structure, commitment and other matters required as part of this scope of work.” The requirement is for the bidder to estimate and justify the required workshops (and the associated cost implications) within the perimeter of the Project as a reimbursable expense.	28 June 2024	Closed
14.	24 June 2024	Addendum No 1 - Annexure 1 – Scope of Work – Section 3.2.4 – this section refers to a pre-qualification process, which is optional. Please clarify how this will be priced in the Financial Proposal?	The pricing forms an integral part of 25% of Phase 2 of the assignment (being PPP Procurement, Refer Table 2 page 10 of Annexure 1).	28 June 2024	Closed
15.	24 June 2024	Addendum No 1 - Annexure 1 – Scope of Work – Section 5 – Table 2 - Page 10 – no figure for the % payable has been shown opposite Financial Close.	The financial close is between the Identified Developer and their financiers. Therefore, it is a milestone and not a payable deliverable to the consultant providing advisory services to the Client.	28 June 2024	Closed

16.	24 June 2024	For budget purposes, please confirm where will the presentation of all deliverables be held?	The presentations of deliverables will either be in Namibia or Botswana.	28 June 2024	Closed
17.	24 June 2024	We request an extension of time of 2 weeks to the allow sufficient time to meet the high standard of requirements of the RfP and the need to submit the tender in Namibia	The request is not considered for now, as there is still adequate time (about four (4) weeks) to compile and submit a tender.	28 June 2024	Closed


  
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Willem Kazekondjo  
 Procurement Manager